



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

January 7, 1997

Reply To
Attn of: WCM-126

Ms. Rebecca Paul
Oregon Department of Environmental Quality
Northwest Region
2020 SW Fourth Avenue
Suite 400
Portland, OR 97201-4987

Subject: Van Waters & Rogers, Portland (VWR)

Dear Ms. Paul:

This is in response to your December 18, 1996 letter regarding a potential enforcement action against VWR. In response to your specific questions, to my knowledge at no time did EPA receive a contained-in determination petition, waste analysis plan, or any other plan or document regarding the 167.33 tons of soil which were the subject of your inspection. While the activities which produced the soil were related to the RCRA 3008(h) clean-up being conducted at the site, there are no allowances in the RCRA 3008(h) corrective action order, or any plans/documents submitted or approved pursuant to that order, which would in any way affect VWR's obligation to properly characterize, manage, transport, or dispose of the excavated soil or any other potential solid and/or hazardous waste. EPA therefore knows of no reason why ODEQ should not proceed with this enforcement action.

Should you have any further questions in this matter, please contact me at (206) 553-1061 or Mike Fagan of my staff at (206) 553-6646.

Sincerely,

Kevin Schanilec
Kevin Schanilec, Manager
RCRA Compliance Unit

cc: Nancy Couch,
ODEQ-NWRO Enforcement Section

USEPA RCRA



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Mike Fagan
OR 7398
1/7/97
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